

ALABAMA'S
TOLL-FREE NUMBER
FOR
AMERICANS WITH DISABILITIES ACT
INFORMATION

*Your One-Stop
ADA Information Source*

1-800-205-9986

1-888-574-2257 (TTY)

www.rehab.state.al.us/ada



FY 2003 ANNUAL REPORT



Alabama Department of
REHABILITATION SERVICE

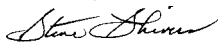
**ALABAMA'S TOLL-FREE
ADA INFORMATION LINE
1-800-205-9986
1-800-574-2257 (TTY)**

Dear Legislators,

Throughout FY 2003, the U.S. Supreme Court continued to issue rulings that better defined ADA's coverage and policy. Providing informational materials through this easily-accessible service is another aspect of this department's efforts to promote greater awareness of the ADA and its implications. It is through a clearer understanding of issues related to this complicated and evolving legislation that we, by working together, can improve the lives of Alabama's children and adults with disabilities at home, in schools and on the job.

Thank you again for your continuing support of this department and its mission: to enable Alabama's children and adults with disabilities to achieve their maximum potential.

Sincerely,



Steve Shivers, Commissioner
Alabama Department of
Rehabilitation Services

Dear Legislators,

As interpretation of the ADA continues in our courts, the ADA Toll-Free Information Line continues to be a user-friendly, viable resource accessed throughout the state by local and state governments, private businesses and individual citizens. As coordinator of this public service, I pledge to work towards increased public awareness and a better understanding of ADA for all Alabamians.

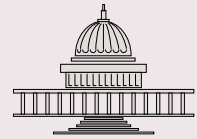
Thank you for your ongoing support of this most important resource and for the opportunity to serve in this capacity.

Sincerely,



Graham L. Sisson, Jr.
Assistant Attorney General for
Alabama's Toll-free ADA Line

Background



In 1998, the Legislature passed Act No. 98-255, which created a service in the Alabama Department of Rehabilitation Services to provide information on rights and responsibilities under the Americans With Disabilities Act. The service was initially funded on October 1, 1998 and was activated through the use of a toll-free telephone line. By January 1999, a toll-free TTY number was added to make this service accessible to persons with hearing or speech impairments. Calls received on either line after regular office hours are recorded by an answering machine.

The Act established the duties of this service, which include providing public information/education, referral, training, data collection, and analysis. A data base was compiled to collect and analyze information made available through each call. Collected information includes each caller's name, address, phone number (when provided), date of call, date of response, referral (if necessary), description of complaint or information request, type of information disseminated and a description of the response to each call.

At the beginning of each call, it is expressly stated that any information provided is nonbinding and that there is no attorney-client relationship established. Confidentiality is maintained at all times unless expressly waived by the caller.

This annual report outlines the performance of this service during Fiscal Year 2003.

The Americans With Disabilities Act

The Americans With Disabilities Act was signed into law July 26, 1990. Many of its provisions did not become effective until two years later. The law was drafted in very broad terms in order to benefit as many persons as possible. Due to this fact, there continues to be much confusion regarding applicability and interpretation of its terms, such as *disability*, *reasonable accommodation*, *undue hardship*, *readily achievable*, etc. This is compounded by the reality that many of these terms are to be decided or determined on a case-by-case basis.

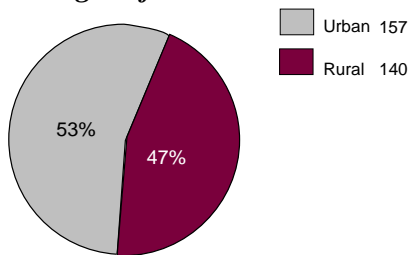
Since many of its terms are ambiguous, there continues to be substantial litigation. In fact, the U.S. Supreme Court again significantly narrowed the ADA's coverage. In *Hernandez vs. Raytheon*, the court held that a policy preventing rehire of those discharged for misconduct is not discriminatory. In *Tennessee vs. Lane*, the court will decide whether monetary damages are available under Title II. These cases demonstrate the ongoing interpretation of the ADA and underscore the value of providing information to the general public through this department's consumer-friendly service.

PERFORMANCE

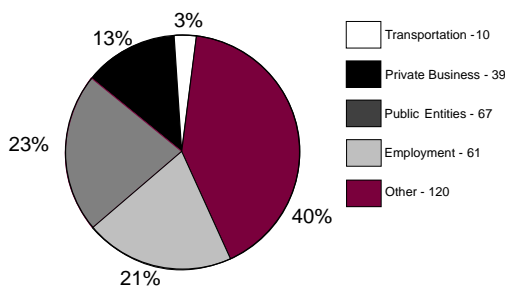
Summary of Calls

Specifically, the nature of calls received continued to be very similar to that of the prior year's calls. The majority of calls received continued to be from consumers with disabilities. Many dealt with employment issues such as reasonable accommodations, job promotions, hiring and termination. Some callers only needed basic ADA information such as actual text of the law, website locations, and applicability of the ADA. Other callers inquired about physical accessibility issues involving building entrances, bathrooms, height of countertops, etc. Response to calls continued to include applicable sections of the law and its regulations and referral to relevant provisions of other laws such as the Rehabilitation Act, Air Carriers Access Act, the Fair Housing Act, and Architectural Barriers Act. When appropriate, callers were referred to sources of further assistance including the Alabama Department of Rehabilitation Services, independent living centers, the Special Education Action Committee, the Governor's Office on Disability, U.S. Department of Justice, Office of Fair Housing and Equal Opportunity, and other federal entities.

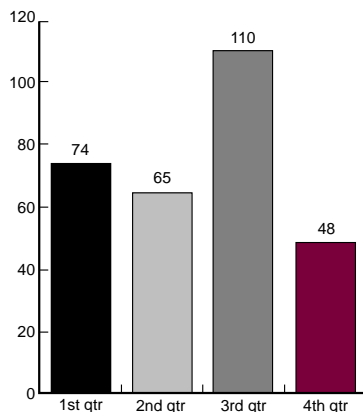
Origin of calls



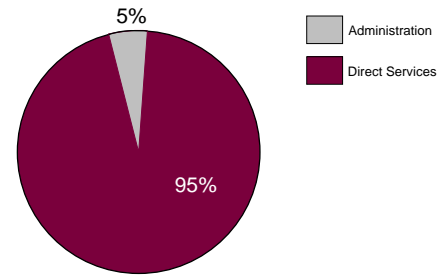
Calls by callers & subject



Calls received per quarter (total: 297)



FY 2003 Budget



Direct Services: \$ 48,857 (95%)
Administration: \$2,394 (5%)

Public Awareness and Outreach

A flyer describing the service and publicizing the ADA toll-free voice number and the 1-800 TTY number continued to be widely distributed among statewide disability organizations such as:

- Alabama Department of Rehabilitation Services' Consumer Advisory Councils
- Governor's Office on Disability
- Alabama disAbility Commission
- ADA Partners of Alabama
- The Special Education Action Committee
- Alabama Independent Living Centers
- Council of Organizations Serving Deaf Alabamians (COSDA)
- Alabama Disability Action Coalition

The ADA information 1-800 number continues to be an accurate one-stop ADA information source. The website address was changed from www.rehab.state.al.us/ADA_hotline.htm to www.rehab.state.al.us/ADA to make it easier to remember.

Written materials provided to callers:

- ADA Q&A Booklets
- Titles I, II, III Technical Assistance Manuals
- Guide to Disability Rights Laws
- Text of ADA
- ADA Accessibility Guidelines
- Employment Rights Under ADA Booklet
- Employer's Responsibilities Under ADA Booklet
- ADA & Worker's Compensation EEOC Guidance
- EEOC Guidance on Definition of Disability
- ADA & Schools Booklet
- ADA & Restaurants Booklet
- ADA Information and Referral Sheet
- EEOC Guidance on Psychiatric Disabilities
- EEOC Guidance on Pre-employment Inquiries
- Readily Achievable Checklist
- Titles I, II, III Regulations
- Department of Justice status reports on ADA enforcement
- EEOC Guidance on Reasonable Accommodation
- DOJ Guidance on Hotels and Motels
- Fair Housing Act Requirements
- Summary of Rehabilitation Act Requirements
- DOJ Guidance on Places of Lodging
- JAN Pamphlet
- Air Carrier Access Act Information
- DOJ Consent Settlements
- DOJ Service Animal Guidance
- ADA Guide for Small Businesses
- VA Handbook for Design of Accessible Homes

Total Number of Written Materials Provided: 249

ADA TRAINING AND TECHNICAL ASSISTANCE

During FY 2003, in addition to the educational services provided via the toll-free ADA Information Line, on-site ADA training sessions or consultations were conducted across the state. These presentations and activities were generated by requests made through the ADA Information Line on behalf of a number of diverse organizations and groups. ADA training was provided to the following groups during FY '03.

12/5/02	ADRS Fall Conference
1/30/03	NASA - Marshall Space Flight Training Center
2/27/03	Independent Living Center Staff
3/5/03	University of North Alabama
3/13/03	Selma Early Intervention Coordinators and Staff
4/9/03	Alabama Association of Social Workers
5/16/03	Birmingham VR Office - Blind and Deaf Section
8/8/03	Selma Children's Rehabilitation Service Parent Group
9/11/03	Tuscumbia City Council, Tuscumbia Access Forum
9/16/03	Tuscaloosa Individual and Family Support Council



Alabama Department of
REHABILITATION SERVICE

In the provision of services and in employment practices, the Alabama Department of Rehabilitation Services does not discriminate on the basis of race, sex, creed, national origin, religion, age or disability.

This material is available in alternate format upon request.